

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
AT MEMPHIS**

**ACCIDENT FUND INSURANCE** )  
**COMPANY OF AMERICA,** )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**GRAYS FRAMING, LLC, & DAYANA** )  
**ZAVALA,** )  
 )  
**Defendants.** )

**No. 2:22-CV-2115-SHL-CGC**  
**District Judge Sheryl H. Lipman**  
**Magistrate Judge Charmiane G. Claxton**

**NOTICE OF ACCIDENT FUND INSURANCE COMPANY OF  
AMERICA'S VOLUNTARY DISMISSAL**

COMES NOW, Plaintiff, Accident Fund Insurance Company of America ("Accident Fund"), by and through counsel, and pursuant to Federal Rule of Civil Procedure 41, voluntarily dismisses this lawsuit, with prejudice. In support of its motion, Accident Fund would show as follows:

1. Pursuant to ADR Plan Rule 4.3(a) mediation occurred on September 8, 2022.
2. During the mediation, the parties agreed as follows:
  - a. Accident Fund will accept coverage for the workers' compensation claim filed by Dayana Zavala that is the subject of this lawsuit.
  - b. The parties are in agreement that Accident Fund will voluntarily dismiss this lawsuit, with prejudice. Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), a copy of a signed stipulation of dismissal among all parties is attached hereto.

WHEREFORE, Accident Fund requests this Court dismiss this case, with prejudice. A proposed order is attached.

Respectfully submitted,

s/Brenden T. Holbrook

**PARKS T. CHASTAIN**

Registration No. 13744

DIRECT: (615) 630-7717

(615) 256-8787, Ext. 114

pchastain@bkblaw.com

**BRENDEN T. HOLBROOK**

Registration No. 039485

DIRECT: (615) 630-7733

(615) 256-8787, Ext. 176

bholbrook@bkblaw.com

Attorneys for Plaintiff, Accident Fund Insurance

Company of America

**BREWER, KRAUSE, BROOKS & CHASTAIN, PLLC**

545 Mainstream Drive, Suite 101

Nashville, TN 37228

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of September, 2022, a true and correct copy of the foregoing NOTICE OF ACCIDENT FUND INSURANCE COMPANY OF AMERICA'S VOLUNTARY DISMISSAL was filed electronically. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this file through the court's electronic filing system.

William (Billy) Ryan, Esquire  
Donati Law, PLLC  
1545 Union Avenue  
Memphis, TN 38104

Jonathan L. May, Esquire  
Morgan & Morgan PA  
80 Monroe Avenue, Suite 900  
Memphis, TN 38103

s/Brenden T. Holbrook

**BRENDEN T. HOLBROOK**

/BTH